Document 5 Entered on FLSD Docket 10/13/2000

| | S DISTRICT COURT FRICT OF FLORIDA |
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| Case No. 08 |) 50 6 2 8 2 1 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 |
| UNITED STATES OF AMERICA) | |
| v.) | MAGISTRATE JUDGE SNOW |
| ROBERT SCHACHNER, | |
| Defendant.) | |

-cr-06282-DTKH

WAIVER OF INDICTMENT

I, Robert Schachner, the above-named defendant, who is accused of defrauding and attempting to defraud Commercial Bank of Florida, TIB Bank of the Keys, and Bank Atlantic, all financial institutions whose accounts were insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds and assets owned by and under the custody and control of these financial institutions, by means of false and fraudulent pretenses, representations, and promises, causing a loss to Bank Atlantic of approximately \$295.993.63 and to Commercial Bank of approximately \$73,838.70, in violation of Title 18, United States Code, Section 1344, being advised of the nature of the charge and of my rights, hereby waive in open court prosecution by indictment and consent that the proceeding may be by information instead of by indictment.

ROBERT SCHACHNER

DEFENDANT

MARK NURIK, ESQ.

COUNSEL FOR DEFENDANT

Before Juana S. Snou